

**LYNCHBURG CITY COUNCIL**  
**Agenda Item Summary**

MEETING DATE: **August 10, 2004**

AGENDA ITEM NO.: 7

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit – St. Thomas Moore, 3015 Roundelay Road**

RECOMMENDATION: Denial of amending the conditions of Resolution #R-02-163 as approved by the City Council on September 10, 2002.

SUMMARY: At its May 25, 2004 work session, the City Council directed staff to start proceedings to amend the condition related to “traffic calming” of the Conditional Use Permit granted to St. Thomas Moore on September 10, 2002. The Planning Commission recommended denial of amending the previously approved conditions because:

- Petition does not agree with the Comprehensive Plan which recommends ensuring that traffic conditions do not degrade neighborhood quality.
- Petition does not agree with the Comprehensive Plan which recommends using traffic calming techniques to control cut-through and speeding traffic.
- Seventy-Five percent (75%) of the residents of Roundelay Road were in favor of traffic calming being installed as is consistent with Virginia Department of Transportation (VDOT) standards.
- There have been no changes in the circumstances justifying amending the condition.

PRIOR ACTION(S):

May 25, 2004      City Council directed staff to start proceedings to amend the condition related to traffic calming of Resolution #R-02-163 as approved by the City Council on September 10, 2002.

July 14, 2004:      Planning Division recommended denial of amending the conditions of Resolution #R-02-163 as approved by the City Council on September 10, 2002.  
Planning Commission recommended denial 6-0 (with 1 member absent) of amending the conditions of Resolution #R-02-163 as approved by the City Council on September 10, 2002.

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn / 455-3902

Tom Martin / 455-3909

ATTACHMENT(S):

- Resolution
- PC Report
- PC minutes
- Site Plan
- Speaker Sign Up Sheet
- September 10, 2002 Council Packet

REVIEWED BY: lkp

## RESOLUTION

A RESOLUTION AMENDING A CONDITIONAL USE PERMIT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the Conditional Use Permit issued to St. Thomas More Catholic Church on September 10, 2002 for property located at 3015 Roundelay Road is hereby amended by removing condition Number 4 requiring St. Thomas More Church to partner with the City of Lynchburg in placing “traffic calming” measures on Roundelay Road.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

108L

The Department of Community Planning & Development  
City Hall, Lynchburg, VA 24504 434-455-3900

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**To:** Planning Commission  
**From:** Planning Division  
**Date:** July 14, 2004  
**Re:** **CONDITIONAL USE PERMIT (CUP): St. Thomas Moore, 3015 Roundelay Road**

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I. PETITIONER

City of Lynchburg, 900 Church Street, Lynchburg, VA 24504

**Representative:** Tom Martin, AICP, City Planner, Lynchburg Planning Division, 900 Church Street, Lynchburg, VA 24504

II. LOCATION

The subject property is a tract of about 19.58 acres located at 3015 Roundelay Road.

**Property Owner:** Walter F. Sullivan, The Most Reverend, 811 Cathedral Place, Richmond, VA 23220

III. PURPOSE

The purpose of this petition is to amend the conditions related to traffic calming approved by the City Council on September 10, 2002.

IV. SUMMARY

- Petition does not agree with the Comprehensive Plan which recommends ensuring that traffic conditions do not degrade neighborhood quality.
- Petition does not agree with the Comprehensive Plan which recommends using traffic calming techniques to control cut-through and speeding traffic.
- Seventy-Five percent (75%) of the residents on Roundelay Road were in favor of traffic calming being installed as is consistent with Virginia Department of Transportation (VDOT) Traffic Calming Standards.

**The Planning Division recommends denial of amending the conditions of the previously approved CUP.**

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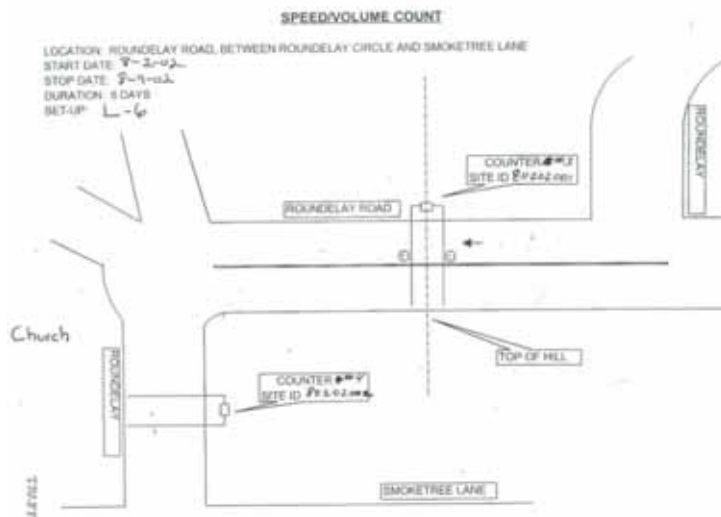
V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends and Institutional Use for the subject property.
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Single-Family Residential District Zoning was established in 1978 with the adoption of the current Zoning Ordinance.
3. **Board of Zoning Appeals (BZA).** Not Applicable
4. **Surrounding Area.** The following items have required City Council approval in the immediate area:
  - On November 13, 1979, the City Council approved the CUP petition of St. Thomas More, for the construction of a new church at 3015 Roundelay Road.
  - On February 14, 1989, the City Council adopted the Commercial Corridor Overlay District.
  - On November 13, 1990, the City Council approved the CUP petition of St. Thomas More, for the construction of an educational wing and parking at 3015 Roundelay Road.
  - On April 09, 2002, the City Council approved the rezoning petition of Lynchburg Computer Systems from B-1, Limited Business District to B-3, Community Business District (Conditional) at 7605 Timberlake Road.
  - On September 10, 2002, the City Council approved the CUP petition of St. Thomas More, for the construction of a sanctuary, columbarium and associated parking at 3015 Roundelay Road.
5. **Site Description.** The subject property is bounded to the north and east by vacant land and to the south and west by single-family residential uses.

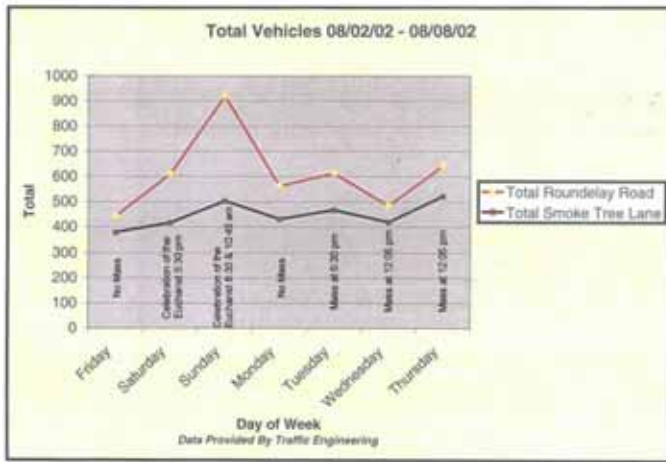
6. **Proposed Use of Property.** The purpose of the CUP is to amend conditions related to traffic calming approved by the City Council on September 10, 2002. The property will continue to be used as a church with approval to construct two (2) future additions to the recently constructed 12,200 square foot sanctuary.
7. **Traffic and Parking.** The City Traffic Engineers original July 23, 2002 comment of concern related to the expansion of the church was regarding increased traffic in the surrounding residential neighborhoods. Information submitted by the petitioner in September 2002, indicated that the church had 2,200 members which is expected to increase. The following is a listing of services as taken from the St. Thomas Moore web site <http://www.stmva.com>:
- Monday – No Mass
  - Tuesday – Mass at 6:30 pm
  - Wednesday – Mass at 12:05 pm
  - Thursday – Mass at 12:05 pm
  - Friday – No Mass
  - Saturday – Celebration of the Eucharist – 5:30 pm
  - Sunday – Celebration of the Eucharist – 8:30 & 10:45 am

When the church was constructed in the early 1980's, Roundelay Road was the only means of access to the property. Roundelay Road is narrow, measuring nineteen (19) to twenty (20) feet in pavement area and runs through a well-established residential neighborhood. The majority of the homes fronting on Roundelay Road were constructed in the late 1950's to the mid 1960's. There is now a 2nd means of access to the church via Willow Bend Drive (off Old Graves Mill Road) and Smoketree Lane. These streets were constructed in the mid to late 1990's, also run through residential neighborhoods, but were constructed to the current City standard of thirty-one (31) feet of pavement width.

The City Traffic Engineer conducted traffic counts during the period of August 2 to August 8, 2002. Traffic counting devices were placed in two locations on Roundelay Road. Counter number three (3) was placed to capture data on vehicles traveling to and from Timberlake Road, while Counter number four (4) was place to capture data on vehicles traveling to and from Smoketree Lane.



The traffic data collected clearly indicates an increase of traffic volumes during times of activity of the church. The increase was most notable in the amount of traffic traveling to and from Timberlake Road on Sunday. This increase of traffic volumes is a direct result of Sunday services being held by the church.



The posted speed limit for Roundelay Road is 25 mph. The data collected shows that the median speed for vehicles on Roundelay Road is 25 mph for traffic traveling from Timberlake Road and 28 mph for vehicles traveling towards Timberlake Road. This median speed indicates that while half the vehicles using Roundelay Road are traveling the speed limit, the other half is exceeding it. The data further indicates the speed limit is being exceeded by 5 to 9 mph.

The speed limit for Smoketree Lane is 25 mph, although it is not posted. Data to indicate speed on Smoketree Lane was not collected during the study. However, a resident of Smoketree Lane, Jim Ford has expressed concern to the City Traffic Engineer and Planning Division concerning speeding on this Road.

At the August 21, 2002 Planning Commission meeting, Mr. Joe Slocum, co-chair of the Building Facility Task Force represented St. Thomas More Church. At this meeting Mr. Slocum stated that the church had held two (2) neighborhood meetings. He further stated that *"all comments they received had been favorable with the exception of comments concerning drivers speeding on Roundelay Road"*.

The City Traffic Engineer recommended that "traffic calming" measures be put in place only on Roundelay Road. It was determined that the most appropriate traffic calming measure to use would be raised "speed tables". Speed tables are long enough for both the front and rear wheels of a car to be on top of the table at once and can be comfortably crossed at 25 mph.



After the appropriate traffic calming measure was identified, Public Works staff surveyed the residents on Roundelay Road and Smoketree Lane. The Roundelay Road neighborhood responded favorably to traffic calming devices with a seventy-five percent (75%) approval rating. The Smoketree Lane neighborhood had a forty-eight percent (48%) approval rating for traffic calming devices. The approval rating received on Roundelay Road is consistent with VDOT Traffic Calming Standards.

Residents opposed to the installation of the speed tables, particularly those residents whose driveways would be in close proximity to the measure appeared before the Physical Development Committee on May 4, 2004 to ask for the requirement for traffic calming devices be eliminated. At its May 25, 2004 work session, the City Council directed staff to return this item to the Planning Commission and the City Council for public hearings. New public hearings are required prior to amending conditions of a CUP.

8. **Storm Water Management.** Not Applicable.

9. **Impact.** Removing the condition related to traffic calming is not consistent with the City's *Comprehensive Plan* which recommends ensuring that traffic conditions do not degrade neighborhoods. The Plan also recommends using traffic calming techniques to control cut-through and speeding traffic. The data collected shows a clear nexus between the volume / speed of traffic and periods of church activity.

The Planning Division believes it is reasonable to require the church to install traffic calming measures that will control the vehicle speeds of its members. Roundelay Road should not function solely as an access road for the church. The residents should be free to use the road for walking or cycling while sharing it with vehicular traffic. As stated by Cynthia L. Hoyle, AICP, in the American Planning Association's Planning Advisory Service Report "*Traffic Calming*", "No person or group has the right to increase their mobility at the expense of another person's mobility. This means recognizing that an overemphasis on car transportation discriminates against a large section of society."

Seventy-Five percent (75%) of Roundelay Road residents favored traffic calming measures being installed. Removing the condition related to traffic calming will not ensure that neighborhoods are not degraded by vehicular traffic, but rather send the message that vehicular traffic is more important. Traffic Calming measures should be required and installed in other neighborhoods of the City where determined appropriate by the City's Traffic Engineer.

10. **Technical Review Committee.** Not Applicable.

11. **Conditions.** According to Section 35.1-15 (f) of the Zoning Ordinance, the Planning Commission or City Council may impose any conditions deemed necessary or appropriate in approving a CUP.

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#### VI. PLANNING DIVISION RECOMMENDATION

**Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council denial of amending the condition related to traffic calming of Resolution #R-02-163 as approved on September 10, 2002.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. Bruce A. McNabb, Director of Public Works  
Mr. R. Douglas Dejarnette, Fire Marshal  
Ms. Judith C. Wiegand, AICP, Senior Planner  
Mr. J. Lee Newland, Director of Engineering  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Arthur L. Tolley, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Mr. Kent White, Environmental Planner  
Rev. James E. Dorson, Pastor

#### VII. ATTACHMENTS

1. **Vicinity Zoning Pattern**  
(see attached map)

2. **Vicinity Proposed Land Use**  
(see attached map)

3. **September 10, 2002 City Council Packet**  
(see attached City Council Packet)

## Minutes from the July 14, 2004 Planning Commission meeting

Consideration of amending conditions related to traffic calming for the previously approved Conditional Use Permit of St. Thomas More Catholic Church located at 3015 Roundelay Road in an R-1, Single-Family Residential District.

Mr. Tom Martin, City Planner, explained to the Commission that at the May 25, 2004 work session, City Council directed the Planning staff to start proceedings to amend the Conditions of a Conditional Use Permit approved for St. Thomas More on September 10, 2002. He added that the condition in question was related to a requirement that the Church partner with the City in placing traffic calming measures as approved by the City's Traffic Engineer and the City Planner. He continued by saying that this condition was placed on the CUP because traffic data collected during the analysis for the proposed Church addition indicated that high traffic on both Roundelay Road and Smoketree Lane correlated with times of activity of the Church, and the data also indicated that the vehicle speeds were exceeding the posted speed limit by 5 to 9 miles per hour. Mr. Martin said it was determined by the City's Traffic Engineer that the most appropriate type of traffic calming measure would be in the form of speed tables. He added that speed tables were designed to be crossed at speeds up to 25 miles per hour, which was the posted speed on Roundelay Road. He added that the Department of Public Works conducted resident surveys on both Roundelay Road and Smoketree Lane, and obtained a 48% approval rating on Smoketree and a 75% approval rating on Roundelay Road. He said the 75% approval rating was consistent with the VDOT standards for the need for traffic calming. Mr. Martin continued by explaining that residents opposed to the measures appeared before the Physical Development Committee on May 4, 2004 to ask for the requirement to be eliminated. He explained that the elimination of the requirement for the traffic calming measures was not consistent with the Comprehensive Plan that recommended ensuring that traffic conditions did not degrade neighborhood quality and recommended using traffic calming techniques to control cut-through traffic and vehicle speeds. He added that the Planning Division believed that it was reasonable to require the Church to install these measures to control the vehicle speeds of its members and to provide for both vehicle and pedestrian safety in the neighborhood. He said the Planning Division recommended denial of amending the Condition of Resolution R-02-163, which was the original CUP.

Mr. James Steel, 2007 Roundelay Road, spoke in support of eliminating the traffic calming measures. Mr. Steel said the only good the traffic calming devices would do was to slow down traffic, and added that there were a lot of bad things about the devices. He said snow removal would be a problem as the devices were approximately three inches tall, so in order to avoid damage to the blade, the plows would have to be raised. He noted that water would wash out gullies on each side of the speed calming devices, and someone would have to maintain them. He said the traffic survey showed that people were traveling 5 to 9 miles over the speed limit, which was no worse than any other street in the City, and added that if they put speed controls on Roundelay Road then they would have to put them all over the City.

Commissioner Hamilton asked why they chose speed tables instead of tree islands or other options.

Mr. Gerry Harter, City Traffic Engineer, explained that the City did look at other options of traffic calming measures before they decided on the traffic tables. He said traffic tables were chosen because Roundelay Road was an old county road with no curb and gutter, which limited the opportunities for slowing down traffic. He added that any type of choker or speed hump would require additional work because people could actually drive around either one of those devices. Mr. Harter said that any type of object with a curbing feature would look out of place and might be more of a hazard because there would be an actual object in the middle of the road. He explained that although Roundelay Road dipped, three speed tables would be placed on that road, with no drainage problem.

Commissioner Worthington asked if the speed on that road was really that bad of a problem.

Mr. Harter said comparatively speaking the answer was probably no. He said traffic traveled faster in one direction than it did in the other direction.

Commissioner Pulliam asked if this amendment was a request of the Church or of the residents of the neighborhood.

Mr. Martin said this request came from City Council by way of the citizens. He said the Planning Division's opinion that speeds in excess of 5 to 9 miles per hour may or may not warrant traffic calming techniques. He explained that there may be other passive forms of traffic calming that could be utilized, such as signage or street trees. The fact of the matter is, he continued, is that the Comprehensive Plan recommended using traffic calming techniques. He added that Mr. Steel was right in that if the City committed to installing this technique in this neighborhood and they find that other neighborhoods would benefit from the same technique, then they should also have traffic calming techniques installed. Mr. Martin said in this case, the increased traffic correlated with Church activities.

Commissioner Hamilton asked if there was a way to designate the speed tables so accidents do not happen in the winter with snow removal.

Mr. Harter said they could install signs indicating that plows should be raised. He said there was a section of road in Forest with these same traffic calming measures which has advanced warning signs.

Commissioner Bacon asked if school buses traveled this street and asked if this would disturb the buses.

Mr. Harter said these devices are almost flat with a gradual slope, but the bump was enough to cause vehicles to slow down.

Commissioner Hamilton stated that if a precedent for traffic calming measures was set due to this request it does not necessarily mean that Lynchburg would have speed humps all over the City, but that they could use different types of traffic calming measures such as traffic islands.

Mr. Martin explained that Mr. Harter would have to look at each situation individually to determine what type of traffic calming measure to use.

Mr. Harter said one danger with speed humps was that cut-through people find another road to travel on. He said he had talked to representatives from St. Thomas More Church and they were a little resistant at the beginning, but had been cooperative. He said they were willing to do educational programs such as putting signs up exiting the church property, putting notices in their bulletins, and/or reminding parishioners to show down when exiting the Church property. He said they recognized that they had problems occasionally with speeders and said they were aware of the issues.

Commissioner Echols asked if the church was the primary user of the street.

Mr. Martin said there were 2200 church members and approximately 20 homes on Roundelay Road and Roundelay Circle.

Commissioner Hamilton asked if signs could be tried first and monitor the traffic before installing the speed tables, with the Church covering the cost.

Mr. Martin said they could not request that the Church try several different measures and pay for each one. He said they needed to come up with a good option, have it installed and move on. He said if a problem was directly related to something the Church was doing, which has been determined, the City could require them to fix the measure, just like it does on other project. He said what it really got down to was if you side with the seventy-five percent of the residents who wanted the speed tables, or with the twenty-five percent of the residents who did not want them. Mr. Martin said in the August 21, 2002 minutes Mr. Joe Slocum, Co-Chair of the Building Facility Task Force, represented St. Thomas More Church. He said Mr. Slocum stated that the Church had held two neighborhood meetings and stated that "all comments received had been favorable with the exception of comments concerning drivers speeding on Roundelay Road." Mr. Martin said the residents knew this was a problem prior to the Church's expansion, and the Church had already given the money to the City to install the speed tables.



Vice-Chairman Flint said the Planning Commission had reason to include this Condition in the original CUP, and added that he did not see that anything had changed since that time.

Vice-Chairman Flint read a note from Chair Dahlgren noting his lack of support for the petition. His note stated that when this Condition was approved by the Planning Commission in 2002, they were considering the safety of the church members, the residents of Roundelay Road and the public in general.

After discussion, Commissioner Worthington made the following motion to deny the request, which was seconded by Commissioner Pulliam and passed by the following vote:

“That the Planning Commission recommends to the City Council denial of amending the condition related to traffic calming of Resolution #R-02-163 as approved on September 10, 2002..

AYES:	Bacon, Echols, Flint, Hamilton, Pulliam, Worthington	6
NOES:		0
ABSTENTIONS:		0

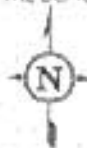
ST. THOMAS MORE CATHOLIC CHURCH

3015 Roundelay Road

Conditional Use Permit Amendment

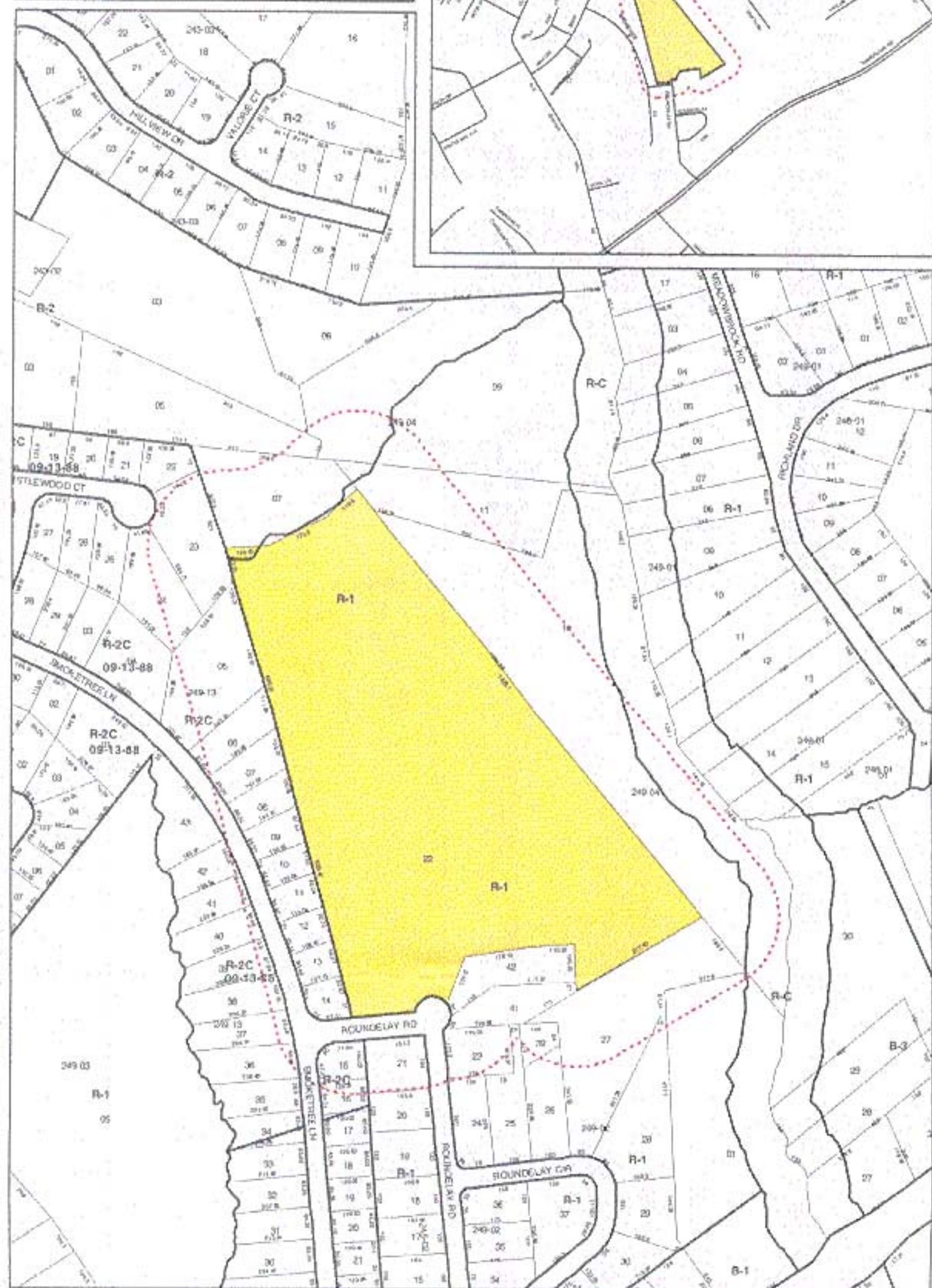
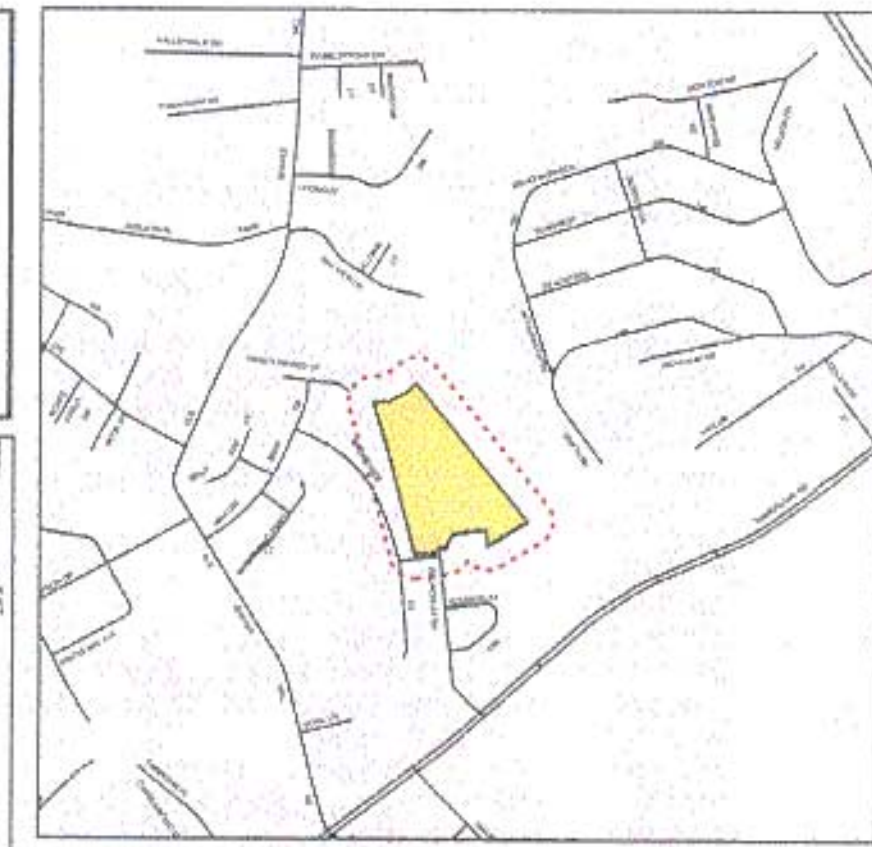
Petitioner: St. Thomas More Catholic Church

MAP PREPARED BY  
THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

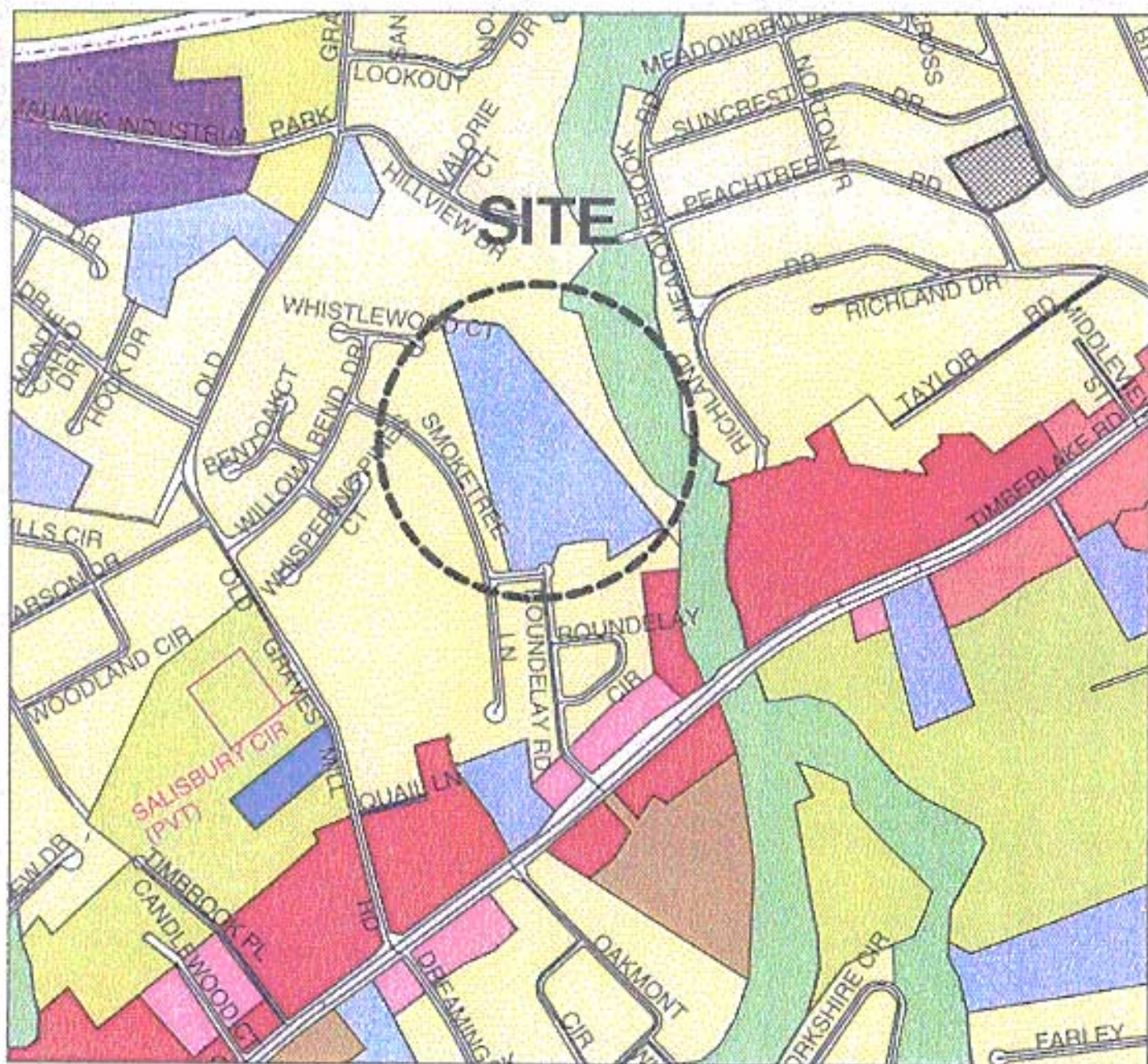


Subject Property

200 ft Radius







# ST THOMAS MORE CHURCH

## 3015 ROUNDELAY ROAD

## LAND USE PLAN



3015 Roundelay Road

**PLEASE PRINT**

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